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APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/816,779	04/07/2004 JUL 27 2004 PTO	Christopher W. Wesley	10005.001020

000031894  
OKAMOTO & BENEDICTO, LLP  
P.O. BOX 641330  
SAN JOSE, CA 95164



**CONFIRMATION NO. 9971**  
**FORMALITIES LETTER**



\*OC000000013009973\*

Date Mailed: 06/21/2004

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted*

### Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.  
*Applicant must submit \$ 385 to complete the basic filing fee for a small entity.*
- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.

The applicant needs to satisfy supplemental fees problems indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Additional claim fees of **\$36** as a small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.

### SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is **\$486** for a Small Entity

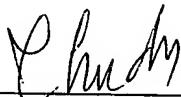
• \$385 Statutory basic filing fee.	07/28/2004 MAHMED1 00000062 10816779
• \$65 Late oath or declaration Surcharge.	01 FC:2001 385.00 OP
	02 FC:2051 65.00 OP
	03 FC:2202 36.00 OP
• Total additional claim fee(s) for this application is \$36	

- \$36 for 4 total claims over 20.

Replies should be mailed to: Mail Stop Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria VA 22313-1450

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*A copy of this notice **MUST** be returned with the reply.*



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Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE



Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

## TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

		Application Number	10/816,779
		Filing Date	April 2, 2004
		First Named Inventor	Christopher W. Wesley
		Art Unit	2171
		Examiner Name	not yet known
Total Number of Pages in This Submission	25	Attorney Docket Number	10005.001020

**ENCLOSURES (check all that apply)**

<input checked="" type="checkbox"/> Fee Transmittal Form  <input checked="" type="checkbox"/> Fee Attached  <input type="checkbox"/> Amendment / Reply  <input type="checkbox"/> After Final  <input type="checkbox"/> Affidavits/declaration(s)  <input type="checkbox"/> Extension of Time Request  <input type="checkbox"/> Express Abandonment Request  <input type="checkbox"/> Information Disclosure Statement  <input type="checkbox"/> Certified Copy of Priority Document(s)  <input checked="" type="checkbox"/> Response to Missing Parts/ Incomplete Application  <input checked="" type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s)  <input type="checkbox"/> Licensing-related Papers  <input type="checkbox"/> Petition  <input type="checkbox"/> Petition to Convert to a Provisional Application  <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address  <input type="checkbox"/> Terminal Disclaimer  <input type="checkbox"/> Request for Refund  <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance Communication to Group  <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences  <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)  <input type="checkbox"/> Proprietary Information  <input type="checkbox"/> Status Letter  <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):  <b>Copy of Notice to File Missing Parts of Nonprovisional Application; Oath/Declaration &amp; Declaration Supplemental Sheet (orig-signed); Power of Attorney; Return receipt postcard.</b>	<input type="checkbox"/> Remarks
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**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

Firm or Individual name	Patrick D. Benedicto, Reg No. 40,909 OKAMOTO & BENEDICTO LLP
Signature	
Date	July 21, 2004

**CERTIFICATE OF TRANSMISSION/MAILING**

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.

Typed or printed name	Patrick D. Benedicto		
Signature		Date	July 21, 2004

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

# FEE TRANSMITTAL for FY 2004

Effective 01/01/2003. Patent fees are subject to annual revision.

The applicant claims small entity status. See 37 CFR 1.27

**TOTAL AMOUNT OF PAYMENT** (\$ 486)**Complete if Known**

Application Number	10/816,779
Filing Date	April 2, 2004
First Named Inventor	Christopher W. Wesley
Examiner Name	not yet known
Art Unit	2171
Attorney Docket No.	10005.001020

**METHOD OF PAYMENT (check all that apply)**

Check    Credit card    Money    Other    None  
Order

 Deposit Account:

Deposit Account Number

50-2427

Deposit Account Name

OKAMOTO &amp; BENEDICTO

## The Director is authorized to: (check all that apply)

Charge fee(s) indicated below    Credit any overpayments  
 Charge any additional fee(s) during the pendency of this application  
 Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

**FEE CALCULATION****1. BASIC FILING FEE****Large Entity**   **Small Entity**

Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description	Fee Paid
1001	770	2001	385	Utility filing fee	385
1002	340	2002	170	Design filing fee	
1003	530	2003	265	Plant filing fee	
1004	770	2004	385	Reissue filing fee	
1005	160	2005	80	Provisional filing fee	

SUBTOTAL (1)

(\$ 385)

**2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE**

Total Claims	24	-20 **	= 4	X 9	= 36
Independent Claims	3	-3 **	= 0	X 0	= 0
Multiple Dependent				X 0	= 0

**Large Entity**   **Small Entity**

Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description
1202	18	2202	9	Claims in excess of 20
1201	86	2201	43	Independent claims in excess of 3
1203	290	2203	145	Multiple dependent claim, if not paid
1204	86	2204	43	** Reissue independent claims over original patent
1205	18	2205	9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2)

(\$ 36)

**FEE CALCULATION (continued)****3. ADDITIONAL FEES**

Large Entity	Small Entity
Fee Code	Fee (\$)
1051	130
1052	50
1053	130
1812	2,520
1804	920*
1805	1,840*
1251	110
1252	420
1253	950
1254	1,480
1255	2,010
1401	330
1402	330
1403	290
1451	1,510
1452	110
1453	1,330
1501	1,330
1502	480
1503	640
1460	130
1807	50
1806	180
8021	40
1809	770
1810	770
1801	770
1802	900
Other fee (specify) _____	

\*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$ 65)

\*or number previously paid, if greater; For Reissues, see above

**SUBMITTED BY****Complete (if applicable)**

Name (Print/Type)	Patrick D. Benedicto	Registration No. (Attorney/Agent)	40,909	Telephone	(408) 436-2110
Signature	<i>Patrick D. Benedicto</i>			Date	July 21, 2004

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing this form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In RE Application of:

Christopher W. Wesley, et al.

Serial No.: 10/816,779

Filing Date: April 2, 2004

Title: Control of Access to  
Computers in a Computer  
Network

Examiner: not yet known

Art Unit: 2171

Atty. Docket No.:10005.001020

Mail Stop Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

RESPONSE TO NOTICE TO FILE MISSING PARTSOF NONPROVISIONAL APPLICATION

Sir:

In response to the Notice to File Missing Parts of Nonprovisional Application mailed **June 21, 2004** for the above-identified patent application, enclosed are the following:

- A copy of the Notice to File Missing Parts of Nonprovisional Application;
- Power of Attorney;
- An original, signed Declaration;
- Payment in the amount of **\$486.00** for the filing and surcharge fees;
- Applicant claims small entity status under 37 C.F.R. section 1.27

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If the Examiner has any questions or needs additional information, the Examiner is invited to contact the undersigned attorney at (408) 436-2110.

Respectfully submitted,  
Christopher W. Wesley, et al.

Dated: July 21, 2004

By:

*Patrick Benedicto*

Patrick D. Benedicto  
Attorney For Applicant  
Reg. No. 40,909  
OKAMOTO & BENEDICTO LLP  
P.O. Box 641330  
San Jose, California 95164  
(408) 436-2110  
(408) 436-2114 (FAX)

Enclosure(s)

CERTIFICATE OF MAILING			
I hereby certify that this correspondence, including the enclosures identified herein, is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below. If the Express Mail Mailing Number is filled in below, then this correspondence is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service pursuant to 37 CFR 1.10.			
Signature:	<i>Patrick Benedicto</i>		
Typed or Printed Name:	Patrick D. Benedicto	Dated:	July 21, 2004
Express Mail Mailing Number (optional):			